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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/803,835	03/12/2001	Martin Ryzl	16159.012001; P5534CNT	9990
32615	7590	03/06/2006	EXAMINER	
OSHA LIANG L.L.P./SUN			CRAIG, DWIN M	
1221 MCKINNEY, SUITE 2800			ART UNIT	
HOUSTON, TX 77010			PAPER NUMBER	

2123

DATE MAILED: 03/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/803,835	Applicant(s) RYZL, MARTIN	
	Examiner Dwin M. Craig	Art Unit 2123	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 December 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1, 2, 4-11, 13, 15 and 19-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 4-11, 13, 15 and 19-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. The amendment filed 12/2/05 has been received. Claims 1, 2, 4-11, 13, 15 and 19-26 are presented for Examination.

#### *Response to Arguments*

2. Applicant's arguments with respect to claims 1, 2, 4-11 and 15 have been considered but are moot in view of the new ground(s) of rejection.

#### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. Claims 1, 2, 4-11, 13, 15 and 19-26 are rejected under 35 USC 102(a) as being anticipated by “i-mode Java Content Developer’s Guide” –Functional Descriptions- Release 1.1 by NTT DoCoMo, Inc. hereafter referred to as *NTT*.

3.1 As regards independent claims 1, 7, 11 and 19 and using independent claim 1 as an example, *NTT* discloses, *An apparatus for facilitating development of an application for an entire wireless-connected device*, (Chapter 1 pages 9-17), *a module having a plurality of development tools for use in the creation of an application* (Chapter 2 pages 19-36), *an emulator of the entire wireless-connected device integrated with the module*, (page 90, Mobile phone Emulator) *wherein the emulator executes the application, wherein the entire wireless device*

Art Unit: 2123

*comprises: an input device; and output device; and a processor configured to accept an input from the input device, process the input, and send a result to the output device based on the application.* (Chapter 9 pages 89-95). As regards the limitation in independent claim 19 of an *Integrated Development Environment*, (see page 103).

**3.2** As regards independent claim 25, *emulator configuration file, original manufacturer files and templates* see *NTT* (page 39 “Make sure the JAR file contains only essential files, and that those files are as compact as possible. If your application contains different modules for each phone, for instance if using manufacturer extensions API’s, consider creating a separate application (a separate JAR file) for each device (see Chapter 10 for details on how to control device-specific downloads. ”). As regards the limitation of a *database* (page 13).

**3.3** As regards dependent claims 2, 8 and 13 the *NTT* reference discloses an IDE (page 103).

**3.4** As regards dependent claims 24 and 26 the *NTT* reference discloses an IDE (page 103) and a *virtual machine* (page 90 Figure 10, “Mobile Phone Emulator” and “Windows version of the KVM).

**3.5** As regards dependent claims 4, 9 and 23 the *NTT* reference teaches *execution of the Application* (page 92 “Testing on the Emulator”).

**3.7** As regards dependent claims 5, 6, 10, 15, 20 and 22 the *NTT* reference discloses, (page 39 “Make sure the JAR file contains only essential files, and that those files are as compact as possible. If your application contains different modules for each phone, for instance if using manufacturer extensions API’s, consider creating a separate application (a separate JAR file) for each device (see Chapter 10 for details on how to control device-specific downloads. ”).

**3.8** As regards dependent claims 21 the *NTT* reference discloses, (Figure 11 page 91).

*Conclusion*

4. Claims 1, 2, 4-11, 13, 15 and 19-26 are rejected.

4.1 The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent Application 09/775,669 Pub. No.: US 2002/0087300 discloses an emulator of a wireless device (cell phone) Figures 1 & 2.

"JavaGrande and JavaOne 99 Highlights" by CrossRoads Technologies, Inc. 1998, 1999 Version 1.2 discloses J2ME for Mobile Phones Set-top boxes and Car applications pages 7-9.

"Compact Java Binaries for Embedded Systems" discloses the J2ME platform for development of software applications on Cellular phones, pagers and Personal Digital Assistants, page 1.

"J2ME Building Blocks for Mobile Devices" by Sun Microsystems discloses a software development environment for developing applications on mobile wireless devices (pages 1-35).

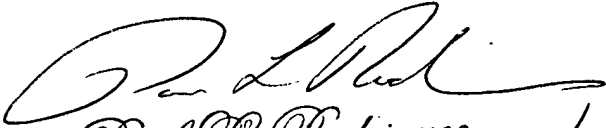
4.2 Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dwin M. Craig whose telephone number is (571) 272-3710. The examiner can normally be reached on 10:00 - 6:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul L. Rodriguez can be reached on (571) 272-3753. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2123

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DMC

  
Paul L. Rodriguez 3/2/06  
Primary Examiner  
Art Unit 2125